

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Dakai Liu et al.

Serial No. 08/822,963

Filed: March 21, 1998

Title: **VECTORS AND VIRAL  
VIRAL AND PACKAGING CELL LINES  
FOR PROPOGATING SAME**



Group Art Unit: 1809

Examiner: Sean McGarry

527 Madison Avenue, 9th Floor  
New York, New York 10022

**FILED BY EXPRESS MAIL**

Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

**VERIFIED STATEMENT OF FACTS BY THE ORIGINAL NAMED INVENTORS  
ACCOMPANYING PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)**

Dear Sirs:

This Verified Statement Of Facts accompanies Applicants' Petition To Correct Inventorship Under 37 C.F.R. § 1.48(a) which seeks to correct the inventorship designation of the above-identified application by adding the names of: Jeffrey Ng and Lev Lubarsky.

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No. <u>EM366566580</u>	
Deposit Date	<u>MARCH 19, 1998</u>
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
Ronald C. Fedus Reg. No. 32,567	<u>MAR 19 98</u> Date

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These are the facts that explain how the error without deceptive intention was discovered by us. Several weeks after the March 21, 1997 filing date of this application, Dr. Dakai Liu spoke to Applicants' attorney, Ronald C. Fedus, on another matter outside of this application. During that conversation that took place in late May or early June 1997, Dr. Liu indicated that he thought that two of his laboratory co-workers, Jeffrey Ng and Lev Lubarsky, may have contributed as inventors. Mr. Fedus explained to Dr. Liu the standard for conception of an invention and he indicated that he would review the inventorship issue with Dr. Liu within a couple of weeks. Sometime in June 1997, Dr. Liu and Mr. Fedus had a telephone conversation during which Dr. Liu stated that he was confident that Messrs. Ng and Lubarsky had contributed as co-inventors to certain of the pending claims. Dr. Liu also reviewed the pending claims with Mr. Fedus and he pointed to specific claims that he thought were contributed by Messrs. Ng and Lubarsky. On a separate occasion in June 1997, Applicants' attorney spoke to Messrs. Ng and Lubarsky who both confirmed their contribution as co-inventors as related to Mr. Fedus by Dr. Liu. On July 1, 1997, Applicants' attorney wrote to Messrs. Ng and Lubarsky and provided each with a copy of the as-filed patent application, declaration and oath for patent application and an assignment. Both inventors signed their respective declaration and assignment on July 22, 1997. Drs. Liu and Rabbani also subsequently signed a new declaration and assignment reflecting the addition of Messrs. Ng and Lubarsky as co-inventors.

We aver that the above named Jeffrey Ng and Lev Lubarsky inventors were not originally named in U.S. Patent Application Serial No. 08/822,963 through an error that occurred without any deceptive intention on our part as the originally named inventors.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful

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false statements may jeopardize the validity of the application or any patent issued thereon.

Dakai Liu

Dakai Liu



Elazar Rabbanii

March 19, 1998

Date

March 17, 1998

Date